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SAM CHILES

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12   UNITED STATES DISTRICT COURT

13   NORTHERN DISTRICT OF CALIFORNIA

14   SAN FRANCISCO DIVISION

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16   SAM CHILES   ) **CASE NO: C-12-5796 MEJ**

17   Plaintiff,   )

18   vs.   ) **STIPULATION TO EXTEND TIME**
) **FOR DISCOVERY CUT-OFF AND**

19   ) **DISCLOSURE OF EXPERT**
    THE PERMANENTE MEDICAL GROUP) **WITNESSES**

20   and Does 1 through 50,   )

21   Defendants.   )

22   ————————————————)

23   IT IS HEREBY STIPULATED and agreed by and between parties hereto, through their

24   undersigned counsel of record, as follows:

25   WHEREAS, the discovery cut-off date set by the Case Management Order is October 8,

26   2013.

27   WHEREAS, the expert disclosure cut-off date set by the Scheduling Order was September

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STIPULATION TO EXTEND TIME FOR DISCOVERY CUT-OFF AND DISCLOSURE OF EXPERT WITNESSES

13, 2013.

1.   Based on the progress of this Action, the parties stipulate to extend the discovery cut-off date from October 8, 2013 to November 8, 2013 and the time to disclose expert witnesses from September 13, 2013 to October 13, 2012.

2.   The commencement of discovery in this matter was substantially delayed for several reasons.

3.   Defendant's counsel did not notice the deposition of the plaintiff because the defense did not want to depose plaintiff before receiving documents and information based upon plaintiff's Rule 26 disclosure. Despite the defendant's timely compliance Plaintiff's counsel never did a Rule 26 disclosure, but responded to defendant's document request on June 5, 2013.

4.   Plaintiff's deposition – the only deposition that has taken place - was originally scheduled for June 10, 2013. The deposition, however, was canceled by plaintiff's counsel on the day it was set when plaintiff's counsel became ill. Due to scheduling conflicts – including a month-long jury trial – plaintiff's deposition did not occur until August 28, 2013.

5.   A one-month extension of time for discovery cut-off and disclosure of expert witnesses will enable both parties to timely and efficiently complete written discovery.

6.   Since discovery had just barely commenced and the case was set to be mediated on September 25, 2013, expert disclosure was not possible since sufficient discovery had not been completed to determine necessary experts.

7.   Based upon the scheduling and preparation of the case, good cause exists to extend the deadlines and further the one-month extension will not prejudice either party or result in undue delay.

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8.   For these reasons, and good cause appearing, the parties agree and stipulate to continue the time for discovery cut-off of October 8, 2013 to November 8, 2013 and the time to disclose expert witnesses from September 13, 2013 to October 13, 2013. All other dates remain as currently scheduled by the Case Management Order.

IT IS SO STIPULATED.

DATED: September 20, 2013   LOGAN LAW GROUP

By: /s/
    Angela L. Morgan
    Attorney for Plaintiff
    SAM CHILES

DATED: September 20, 2013   KNOX RICKSEN LLP

By: /s/
    Jane L. Trigero
    Attorneys for Defendant
    THE PERMANENTE MEDICAL GROUP,
    INC.

STIPULATION TO EXTEND TIME FOR DISCOVERY CUT-OFF AND DISCLOSURE OF EXPERT WITNESSES

ORDER

Pursuant to the stipulation of the Parties, and good cause appearing;

IT IS SO ORDERED that:

The discovery cut-off period, previously set for October 8, 2013, is continued to November 8, 2013.

The disclosure of expert witnesses, previously set for September 13, 2013, is continued to October 13, 2013.

Dated: September __24__ , 2013

_____

Maria-Elena James
United States Magistrate Judge

GRANTED
Judge Maria-Elena James

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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STIPULATION TO EXTEND TIME FOR DISCOVERY CUT-OFF AND DISCLOSURE OF EXPERT WITNESSES

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